Permit Fact Sheet

General Information

Permit Number:	WI-0064271-02-0
Permittee Name:	Erickson Dairy LLC
Address:	W4929 Sand Rd
City/State/Zip:	Neillsville WI 54456
Discharge Location:	Same as facility address
Receiving Water:	Unnamed stream (WBIC 5017653) within the O'Neill and Cunningham Creeks Watershed, and groundwaters of the state

Animal Units					
	Current AU		**Proposed AU** **(Note: If all zeroes, expansions are not expected during permit term)**		
Animal Type	**Mixed**	**Individual**	**Mixed**	**Individual**	**Date of Proposed Expansion**
Dairy Calves (under 400 lbs.)	30	0	0	0	
Milking and Dry Cows	1330	1359	0	0	
Heifers (400 lbs. to 800 lbs.)	180	300	0	0	
Heifers (800 lbs. to 1200 lbs.)	330	300	0	0	
Total	1870	1359	0	0	

Facility Description

Erickson Dairy LLC is an existing Concentrated Animal Feeding Operation (CAFO) located in the Township of Pine Valley, Clark County. Erickson Dairy consists of one production site, the Main Dairy Site located at W4929 Sand Rd., Neillsville, WI 54456. The operation is owned and operated by James Erickson, with a current herd size of 1,870 animal units (950 milking/dry cows, 600 heifers and 200 calves). A gradual expansion is planned over the upcoming permit term with a goal of 2,085 animal units by 2023. Approximately 10.8 million gallons of liquid manure/process wastewater and 3,392 tons of solid manure are projected to be produced the first year of the permit term. Manure and process wastewater is stored in three (3) liquid waste storage facilities. The total usable storage capacity is approximately 7 million gallons or 237 days of storage capacity for liquid manure and at least 59 days for solid manure. Erickson Dairy owns or rents 2,585 acres of cropland, of which 2,519 acres are available for manure applications.

Sample Point Designation For Animal Waste		
Sample Point Number	**Sample Point Location, Waste Type/sample Contents and Treatment Description (as applicable)**	
001	WSF 1 (liquids) - Sample point 001 is for liquids from waste storage facility 1 (WSF1). It is a concrete and HDPE lined manure pit located in the southern portion of the main dairy site south of Freestall Barn 1. The facility was constructed in 2001 and has floor dimensions of 48 feet by 145 feet and is 12 feet deep for a total volume below the maximum operating level (MOL) of approximately 1.1 million gallons. The DNR has no records of Plans and Specifications approval but they were approved by Clark County under their Animal Waste Ordinance prior to construction. On July 11, 2011 the DNR approved an engineering evaluation that established the facility was built in compliance with NR 243 and NRCS specifications. In addition to processed wastewater from the milking parlor, the facility accepts liquid manure through a waste transfer system from Freestall Barn 1 and Freestall Barn 2, located north of the storage facility. This pit acts as a sand settling basin before liquids flow into WSF 2. An agitation boat mixes liquids and solids prior to removal for direct land application in the spring and fall.	
002	WSF 2 (liquids) - Sample 002 is for liquids from waste storage facility 2 (WSF2). The facility is an HDPE lined manure pit located in the southern portion of the main dairy site southeast of WSF 1. The facility was constructed in 2008 and has floor dimensions of 137 feet by 193 feet and is 13 feet deep for a total volume below the maximum operating level (MOL) of approximately 3.2 million gallons. The DNR has no records of Plans and Specifications approval but they were approved by Clark County under their Animal Waste Ordinance prior to construction. On July 11, 2011 the DNR approved an engineering evaluation that established the facility was built in compliance with NR 243 and NRCS specifications. The facility accepts liquid manure through a waste transfer channel from WSF 1. An agitation boat mixes liquids and solids prior to removal for direct land application in the spring and fall.	
003	WSF 3 (liquids) - Sample point 003 is for liquids from waste storage facility 3 (WSF3). The facility is constructed as a concrete lined vertical wall pit in the shape of a rectangle with an access ramp for removing solids. It is in the southern portion of the main dairy site, southeast of WSF2. The facility was constructed in 2013 and has dimensions of 200 feet by 260 feet by 10 feet deep for a total volume below the MOL of approximately 2.8 million gallons. It was built according to Plans and Specifications approved by the DNR on August 12, 2013. It accepts liquid manure from Freestall Barn 3 located north of the storage facility. An agitation boat mixes liquids and solids prior to removal for direct land application in the spring and fall.	
004	Feed Storage Area 1 - Sample point 004 is for visual monitoring and inspection of the feed storage area 1 (FS1) and associated runoff control system, which is in the western portion of the main dairy site. The feed pad's surface area is estimated at 128,350 square feet. An interim runoff collection system was built in 2019 with collected liquids being pumped to tankers for field applications or placed in waste storage facilities. Runoff amounts exceeding the interim collection system flows westward into a cropped area. A permanent runoff collection system will be installed during the permit term. Proper operation and maintenance are required to ensure discharges meet permit requirements.	
005	Misc. Solid Manure (solids) – Sample point 005 is for miscellaneous waste solids directly land applied from the production area of the main dairy site. This includes pen bedpack and any waste feed solids. Representative samples shall be taken for each nutrient source when land application occurs.	
006	Settled Solids Manure (solids) – Sample point 006 is for any settled waste solids directly land applied from liquid waste storage facilities (WSF1, WSF2 and WSF3). These facilities are described in sample points 001, 002 and 003 respectively. Representative samples shall be taken for each manure source when land application occurs.	

Sample Point Designation For Animal Waste		
Sample Point Number	**Sample Point Location, Waste Type/sample Contents and Treatment Description (as applicable)**	
007	Manure Stacking Sites (solids) – Sample point 007 is for solid manure land applied from approved headland stacking sites. Representative samples shall be taken prior to land application. Stacks are defined as part of the production area and therefore subject to the discharge limitations of this permit. Weekly inspections of stack runoff controls are required and shall be recorded according to a monitoring program.	

1 Livestock Operations - Proposed Operation and Management

Production Area Discharge Limitations

Beginning on the effective date of the permit, the permittee may not discharge pollutants from the operation's production area (e.g., manure storage areas, outdoor animal lots, composting and leachate containment systems, milking center wastewater treatment/containment systems, raw material storage areas) to navigable waters, except in the event a 25-year, 24-hour rainfall event (or greater) causes the discharge from a structure which is properly designed and maintained to contain a 25-year, 24-hour rainfall event for this location as determined under s. NR 243.04 **(Clark County – 4.74 inches)**. If an allowable discharge occurs from the production area, state water quality standards may not be exceeded.

Runoff Control

The permit requires control of contaminated runoff from all elements of the production area to prevent a discharge of pollutants to navigable waters in accordance with the Production Area Discharge Limitations and to comply with surface water quality standards and groundwater standards. Beginning on the effective date of this permit, (if needed) interim measures shall be implemented to prevent discharges of pollutants to navigable waters. In addition, permanent runoff control system(s) shall be designed, operated and maintained in accordance with the requirements found in USDA Natural Resources Conservation Service standards and ch. NR 243, Wis. Adm. Code. If any upgrading or modifications to runoff controls are necessary, formal engineering plans and specifications must be submitted to the Department for approval.

Manure and Process Wastewater Storage

The permit requires the operation to have adequate storage for manure and process wastewater and that storage or containment facilities are designed, operated and maintained to prevent overflows and discharges to waters of the state. In order to prevent overflows, the permittee must maintain levels of materials in liquid storage or containment facilities at or below certain levels including a one-foot margin of safety that can never be exceeded. If any upgrading or modifications to the storage facilities are necessary, formal engineering plans and specifications must be submitted to the Department for approval.

The permittee currently has approximately 8 months (237 days) of storage for liquid manure. The permittee must maintain 180 days of storage, unless temporary reductions in required storage are approved by the Department.

Solid Manure Stacking

The operation has proposed to stack solid manure. All stacking of solid manure shall be done in accordance ch. NR 243, Wis. Adm. Code, which includes restrictions from NRCS Standard 313. Stacking of manure is part of the production area and is subject to the Production Area Discharge Limitations.

Ancillary Service and Storage Areas

The permittee shall take preventative maintenance actions and conduct visual inspections to minimize pollutant discharges from areas of the operation that are not part of the production area or land application areas. These areas are called ancillary service and storage areas and include access roads, shipping and receiving areas, maintenance areas, refuse piles and CAFO outdoor vegetated areas.

Nutrient Management

With 1,870 animal units from dairy animals, it is estimated that approximately 10,797,187 gallons of manure and process wastewater will be produced per year. It is also estimated 3,392 tons of solid manure will be produced each year. The permittee owns approximately 727 acres of cropland and rents about 1858 acres. Of this acreage, 2,519.9 acres are spreadable. The permit requires all landspreading of manure and process wastewater be completed in accordance with an approved nutrient management plan. The permit will require sampling and analysis of manure and process wastewater that will be landspread. Landspreading rates must be adjusted based on sample analysis. The permit requires the permittee to maintain a daily log that documents landspreading activities. The permit also requires the submittal of an annual report that summarizes all landspreading activities. Plans must be updated annually to reflect cropping plans and other operational changes. Among the requirements, the plans must include detailed landspreading information including field by field nutrient budgets.

The permittee is required to implement a number or practices to address potential water quality impacts associated with the land application of manure and process wastewater. Among the permit conditions are restrictions on manure ponding, restrictions on runoff of manure and process wastewater from cropped fields, and setbacks from wells and direct conduits to groundwater (e.g., sinkholes, fractured bedrock at the surface). In addition, the permittee must implement a phosphorus based nutrient management plan that addresses phosphorus delivery to surface waters by basing manure and process wastewater applications on soil test phosphorus levels or the Wisconsin Phosphorus index. Additional phosphorus application restrictions apply to fields that are high in soil test phosphorus (>100 ppm).

The permitee must also implement conservation practices when applying manure near navigable waters and their conduits, referred to as the Surface Water Quality Management Area (SWQMA). These practices include a 100-foot setback from navigable waters and their conduits, a 35-foot vegetated buffer adjacent to the navigable water or conduit, or a practice that provides equivalent pollutant reductions equivalent to or better than the 100-foot setback.

In addition, the permittee must comply with restrictions on land application of manure and process wastewater on frozen or snow-covered ground. Included in these restrictions is a prohibition on surface applications of solid manure ($\geq$12% solids) on frozen or snow-covered ground during February and March.

Monitoring and Sampling Requirements

The permittee must submit a monitoring and inspection program that outlines how the permittee will conduct self-inspections to determine compliance with permit conditions. These self-inspections include visual inspections of water lines, diversion devices, storage and containment structures and other parts of the production area. The permit requires periodic inspections and calibrations of landspreading equipment. The permittee must take corrective actions to problems identified inspections or otherwise notify the Department. Samples of manure, process wastewater and soils receiving land applied materials from the operation must also be collected and analyzed.

Sampling Points

The permit identifies the different sources of land applied materials (e.g., manure storage facilities, milking centers, egg-washing facilities) as “Sampling Points.” For these Sampling Points, the permittee is required to sample and analyze the different sources for nutrients and other parameters which serve as the basis for determining rates of application for these materials. Other areas are also identified as Sampling Points as a means of identifying them as areas requiring action by the permittee, such as an upgrade or evaluation of a certain system or structure (e.g., runoff control systems), even though sampling is not actually required.

Sample Point Number: 001- WSF 1; 002- WSF 2; 003- WSF 3

Monitoring Requirements and Limitations					
Parameter	**Limit Type**	**Limit and Units**	**Sample Frequency**	**Sample Type**	**Notes**
Nitrogen, Total		lb/1000gal	2/Month	Grab	
Nitrogen, Available		lb/1000gal	2/Month	Calculated	
Phosphorus, Total		lb/1000gal	2/Month	Grab	
Phosphorus, Available		lb/1000gal	2/Month	Calculated	
Solids, Total		Percent	2/Month	Grab	

Sample Point Number: 005- Misc. Solid Manure; 006- Settled Solids Manure, and 007- Manure Stacking Solids

Monitoring Requirements and Limitations					
Parameter	**Limit Type**	**Limit and Units**	**Sample Frequency**	**Sample Type**	**Notes**
Nitrogen, Total		lbs/ton	Quarterly	Grab	
Nitrogen, Available		lbs/ton	Quarterly	Calculated	
Phosphorus, Total		lbs/ton	Quarterly	Grab	
Phosphorus, Available		lbs/ton	Quarterly	Calculated	
Solids, Total		Percent	Quarterly	Grab	

1.1.1 Changes from Previous Permit

Sample points 001, 002, 003 and 004 were changed to more accurately describe the existing production area. Existing sample points 005 and 006 were combined into sample point 005. Existing sample points 007, 008 and 009 were combined into sample point 006. Sample point 007 was changed to headland stacking sites.

2 Schedules

2.1 Emergency Response Plan

Required Action	Due Date
Develop Emergency Response Plan: Develop or update the written Emergency Response Plan within 30 days of permit coverage and make available to the Department upon request.	11/30/2020

2.2 Monitoring & Inspection Program

Use of the department's monitoring and inspection program template is encouraged, but optional.

Required Action	Due Date
Proposed Monitoring and Inspection Program: Consistent with the Monitoring and Sampling Requirements subsection, the permittee shall submit a proposed monitoring and inspection program within 60 days of the effective date of this permit.	12/31/2020

2.3 Annual Reports

Submit Annual Reports by January 31st of each year in accordance with the Annual Reports subsection in Standard Requirements.

Required Action	Due Date
Submit Annual Report #1: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2021
Submit Annual Report #2: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2022
Submit Annual Report #3: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2023
Submit Annual Report #4: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2024
Submit Annual Report #5: To include monitoring and inspection results from the previous 12 months, consistent with the requirements of department form 3400-025E.	01/31/2025
Ongoing Annual Reports: Continue to submit Annual Reports until permit reissuance has been completed.	

2.4 Nutrient Management Plan

Submit annual nutrient management plan (NMP) updates by March 31 of each year. Note, in addition to annual NMP updates, submit NMP amendments and substantial revisions to the department for written approval prior to implementation of any changes to the NMP.

Required Action	Due Date
Management Plan Annual Update #1: To include actual cropping, tillage and nutrient application data from the previous calendar or crop year; consistent with the requirements of department form 3400-	03/31/2021

25D.	
Management Plan Annual Update #2: To include actual cropping, tillage and nutrient application data from the previous calendar or crop year; consistent with the requirements of department form 3400-25D.	03/31/2022
Management Plan Annual Update #3: To include actual cropping, tillage and nutrient application data from the previous calendar or crop year; consistent with the requirements of department form 3400-25D.	03/31/2023
Management Plan Annual Update #4: To include actual cropping, tillage and nutrient application data from the previous calendar or crop year; consistent with the requirements of department form 3400-25D.	03/31/2024
Management Plan Annual Update #5: To include actual cropping, tillage and nutrient application data from the previous calendar or crop year; consistent with the requirements of department form 3400-25D.	03/31/2025
Ongoing Management Plan Annual Updates: Continue to submit Annual Updates to the Nutrient Management Plan until permit reissuance has been completed.	

2.5 Runoff Control System - Installation

For Feed Storage Area 1 (FS1) identified as sample point 004.

Required Action	Due Date
Plans and Specifications: Submit plans and specifications for a permanent runoff control system for Department review and approval in accordance with Chapter 281.41, Wis. Stats., and Chapter NR 243, Wis. Adm. Code. See Standard Requirements for plan content information.	11/01/2021
Complete Installation: Complete construction of runoff control system. System shall be functional and in operation by the specified Date Due. Post construction documentation shall be submitted within 60 days of completion of the project.	11/01/2022

2.6 Submit Permit Reissuance Application

Required Action	Due Date
Reissuance Application: Submit a complete permit reissuance application 180 days prior to permit expiration.	04/30/2025

Explanation of Schedules

Schedule item 2.5 is being requested based on the incomplete installation of a permanent runoff control system as specified in WPDES Permit No. WI-0064271-01-0 schedule item 2.5. From this permit schedule, portions “Complete Engineering Evaluation” and “Written Description of Existing System” were completed on August 17, 2020. Portions “Plans and Specifications” and “Corrections and Post Construction Documentation” were not completed and have been included in the draft permit schedule. A “Notice of Noncompliance” was issued by the DNR on August 1, 2017 for not completing schedule item 2.5. Erickson Dairy installed interim measures in November 2019 to collect a portion of feedpad surface runoff. DNR staff verified installation of interim measures on August 27, 2020.

Attachments:

Days of Storage Approval Letter (January 8, 2019)

Nutrient Management Plan Approval Letter (April 11, 2019)

Substantial Compliance Determination (September 21, 2020)

Sample Point Map (September 2020)

Proposed Expiration Date:

October 31, 2025

Prepared By:

Todd Prill Agricultural Runoff Management Specialist

Date: 9/18/2020

Erickson Dairy LLC Sample Points

Sample Points – Main Site Farm

- 001 WSF 1
- 002 WSF 2
- 003 WSF 3
- 004 Feed Storage Area

Sample Points – Facility Wide

- 005 Misc. Solid Manure
- 006 Settled Solids Manure
- 007 Manure Stacking Sites (Headlands)

Aerial Photo Source: Google Earth September 15, 2020

Substantial Compliance Determination

Permittee Name: Erickson Dairy LLC		Permit Number: 0064271-02-0
	Compliance?	Comments
Discharge Limits	Yes	Interim measures in place
Sampling/testing requirements	Yes	
Groundwater standards	Yes	
Reporting requirements	Yes	
Compliance schedules	Yes	
Management plan	Yes	
Other:	Yes	
Enforcement Considerations	A notice of noncompliance was issued to address the feed storage area runoff discharges; adequate interim measures have been put in place to stop discharges. The permit Schedules section addresses the requirement for submittal of permanent plans and specifications to be installed during the next term by the due date. See permit fact sheet for explanation of schedules section.	
In substantial compliance?	Yes Comments: Signature: Todd Prill Todd Prill Date: 9/21/2020 Concurrence: Date:	

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
101S. Webster St, PO Box 7921
Madison, WI 53707

Tony Evers, Governor
Preston Cole, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711

April 11th, 2019

Clark County
Approval

James Erickson
Erickson Dairy LLC
W4929 Sand Rd
Neillsville, WI 54456

SUBJECT: Conditional Approval of Erickson Dairy LLC Nutrient Management Plan, WPDES Permit No. 0064271-02-0

Dear Mr. Erickson:

After completing a review of Erickson Dairy LLC 2019-2023 Nutrient Management Plan (NMP) the Wisconsin Department of Natural Resources (Department) is providing conditional approval that it is consistent with s. NR 243.14, Wis. Adm. Code. This part of your WPDES permit application is now ready for the public notice and comment process as required by Ch. 283 Stats.

Before applying manure onto approved fields each season, the Department recommends Erickson Dairy LLC review the NMP with those individuals involved with manure applications to ensure all remain familiar with the approved manure spreading protocol, spreading maps, field and map verification, record keeping requirements, and all the conditions of this approval. Specifically, some fields in Erickson Dairy LLC may have:

- Soils that may have bedrock or groundwater within 24 inches of surface,
- Multiple setback areas due to streams, conduits to streams, grassed waterways, wetlands or wells, and
- Evidence of possible soil erosion/flow channels. Note: road ditches or other man made channels may be considered flow channels or conduits to navigable water and may be subject to a SWQMA and setback.

Reviewing the NMP and checking fields for these features and soil conditions prior to manure applications will help Erickson Dairy LLC maintain compliance with their WPDES permit and Ch. NR 243 requirements.

FINDINGS OF FACT

The Department confirms that:

1. A current dairy herd size of 1,770 animal units (950 milking & dry cows, 600 heifers, and 200 calves). A gradual increase in herd size is planned for 2020-2023 to steadily build to a planned herd size of 2085 animal units (1,100 milking & dry cows, 750 heifers, and 250 calves) by 2023.
2. Manure generation and spreading records indicate your herd will annually generate approximately 12,450,000 gallons of manure and process wastewater and 3,392 tons of solid manure in the first year of the permit term. Approximately 253,850 gallons of municipal sludge is applied on an annual basis and managed separately.
3. The use of application restriction options 1 and 5 within surface water quality management areas.
4. The use of phosphorus delivery method P Index.

5. That Erickson Dairy LLC currently has 2,585 acres (726.5 owned and 1857.9 controlled through contracts, rental agreements or leases, or under manure agreements) of which 2,519.9 are spreadable acres.
6. That some fields included in the NMP are directly adjacent to or have high potential to deliver nutrients and sediment to Jack Creek (listed 303(d) impaired water by 'total phosphorus') , Cunningham Creek (listed 303(d) impaired water by 'total phosphorus'), Black River (listed 303(d) impaired water by 'total phosphorus'), South Branch O'Neil Creek (listed 303(d) impaired water by 'total phosphorus'), & North Branch O'Neill Creek (listed 303(d) impaired water by 'total phosphorus').
7. That no fields are directly adjacent to or have high potential to deliver nutrients and sediment to outstanding/exceptional waters.
8. That Erickson Dairy LLC currently has at least 199 days of storage for liquid manure, process wastewater and rainfall and at least 59 days of storage for solid manure.

	Maximum Operating Level (MOL) Volume
WSF 1	800,000 gal
WSF 2	3,000,000 gal
WSF 3	3,300,000 gal

9. That no fields are tiled.
10. That all fields will be checked for the following features prior to/during manure or process wastewater applications: soil areas with possible shallow groundwater (i.e., within 24 inches of surface) at the time of manure application; required setbacks associated with wells, navigable waters, conduits to navigable waters, grassed waterways, wetlands, possible soil erosion/flow channels.
11. That surface applications of manure will not be completed when precipitation capable of producing runoff is forecasted within 24 hours of the time of planned application.

CONDITIONAL NUTRIENT MANAGEMENT PLAN APPROVAL

The Department hereby approves the 2019-2023 Erickson Dairy LLC Nutrient Management Plan subject to the following conditions and the applicable requirements of Ch. NR 243, Wis. Adm. Code:

FIELD AND MANURE MANAGEMENT

1. Fields not included in the NMP and new fields shall not receive manure or process wastewater applications until they have been properly soil sampled, entered into Snap Plus, evaluated for their nutrient needs, and approved by the Department.

2. If existing fields yield a soil test results greater than 200 ppm P, those fields would be prohibited from receiving manure or process wastewater applications, unless you obtain Department approval in accordance with NR 243.14(5)(b)2., Wis. Adm. Code.

3. All liquid manure samples collected may be analyzed, at a minimum, for percent dry matter, total nitrogen, percent NH_4-N, percent NO_3-N, phosphorus, potassium, and sulfur.

4. Erickson Dairy LLC shall record daily manure applications by using form 3200-123A. These forms shall be retained at the farm and provided to the department upon request.

5. Erickson Dairy LLC shall annually submit a spreading report that summarizes the land application activities listed under NR 243.19(3)(c)5., Wis. Adm. Code by using form 3200-123.

WINTER SPREADING

6. Liquid manure applications during winter conditions, as defined by NR 243.14(7), Wis. Adm. Code, are prohibited with the exception of emergency applications.

7. The following field(s) are approved for winter spreading solid manure, emergency applications of liquid manure and frozen liquid manure:
   - BA
   - BG
   - GR2
   - GR4
   - GR5
   - S4
   - S5
   - S9
   - S10
   - S11
   - S12
   - S13
   - S14

8. The following field(s) are denied for winter spreading solid manure, emergency applications of liquid manure and frozen liquid manure due to inadequate acres available because of spreading restrictions that include SWQMA areas and winter slope limitations:
   - AV9
   - Com2
   - Com 3
   - GR1
   - 12
   - Mach
   - Ray P
   - S1
   - S2
   - S3

9. Winter spreading of solid and liquid manure may not occur during the "high risk runoff period" pursuant to s. NR 243.14(6)(c) and NR 243.14(7)(c), respectively.

10. Winter applications of liquid manure shall only occur under emergency situations, after notifying the Department and receiving verbal approval.

11. Liquid applications shall be limited to 3,500 gallons per acre or 30 lbs. P per acre, whichever is less, on slopes 2-6% and 7,000 gallons per acre or 60 lbs. P per acre, whichever is less, on slopes 0-2%. Winter applications of solid manure shall be limited to 60 lbs. P per acre.

HEADLAND STACKING

12. No headland stacking sites are approved.

MANURE & PROCESS WASTEWATER IRRIGATION

13. Irrigation of manure or process wastewater is prohibited.

SUBMITAL AND RECORDKEEPING REQUIREMENTS

14. A copy of this conditional approval shall be included in all future annual Nutrient Management Plan Updates in addition to the NR 243 and NRCS 590 checklists.
15. A complete set of winter and non-winter restriction maps are due by April 26th, 2019 to be submitted.

This conditional approval does not limit the Department's regulatory authority to require NMP revisions (based upon new information or manure irrigation research findings) or request additional information in order to confirm or ensure your farm operation remains in compliance with NR 243 and your WPDES permit conditions. If additional information, project changes or other circumstances indicate a possible need to modify this approval, the Department may ask you to provide further information relating to this activity.

Please keep in mind that approval by the Department of Natural Resources – Runoff Management Program does not relieve you of obligations to meet all other applicable federal, state or locate permits, zoning and regulatory requirements.

If you have any questions regarding this approval I can be reached at 608-261-6419 or Ashley.Scheel@Wisconsin.gov.

Sincerely,

Ashley Scheel, CCA
WDNR CAFO Nutrient Management Plan Reviewer
Wisconsin Department of Natural Resources

cc: Todd Prill, WDNR Agricultural Runoff Specialist (Todd.Prill@Wisconsin.gov)
Robert Baczynski, WDNR Watershed Field Supervisor (Robert.Baczynski@Wisconsin.gov)
Mary Anne Lowndes, WDNR Runoff Management Section Chief (MaryAnne.Lowndes@Wisconsin.gov)
Aaron O'Rourke, WDNR Nutrient Management Program Coordinator (Aaron.Orourke@Wisconsin.gov)
Tony Salituro, WDNR Intake Specialist (Anthony.Salituro@Wisconsin.gov)
Jim Arch, Clark County Conservationist (James.Arch@co.clark.wi.us)
Josh Johnson, Northside Elevator (josh@northsideelevator.com)
File

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
PO Box 7185
101 S. Webster Street
Madison WI 53707-7185

Scott Walker, Governor
Daniel L. Meyer, Secretary
Telephone 608-266-2621
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January 8, 2019

FILE REF: R-2018-0131
WPDES Permit #: WI-0064271

James Erickson
Erickson Dairy
W4929 Sand Rd
Neillsville, WI 54456

Subject: Evaluation Review for Days of Storage for Erickson Dairy, Clark County – NO ADDITIONAL ACTION REQUIRED

Dear Mr. Erickson:

This letter is to inform you that the Wisconsin Department of Natural Resources (Department) has completed its review of the calculation of days of storage submitted under certification by Andy Johnson, Engineering Firm on May 9, 2018 with revisions received on January 4, 2019 on behalf of Erickson Dairy.

The Department reviewed the submitted calculations in accordance with s. NR 243.16(1)(c), Wis. Adm. Code. Under s. NR 243.16(3), Wis. Adm. Code, the Department may require additional practices, conditions, or permittee actions based on Department review of the submitted evaluation. For the following liquid manure storage calculations, the Department has determined **no additional actions** on your part are required.

Days of Available Liquid Waste Storage: The submitted information states that Erickson Dairy has 237 days of liquid waste storage based on the volumes listed in the table below with respect to s. NR 243.15(3)(i) to (k), Wis. Adm. Code. The current number of animal units provided for the calculation is 4,719. The liquid waste volumes are based on the NRCS spreadsheet and other estimated or calculated values. The liquid waste volumes are based upon a collection period of 365 days.

Total Liquid Waste Storage:	9,010,597 gallons
Total Solids Storage	633,563 gallons
Total 25-yr, 24-hr Precip. on Storage	388,756 gallons
Total 25-yr, 24-hr Collected Runoff	0 gallons
Total Freeboard Vol.	963,338 gallons
Total MOL Liquid Waste Storage:	**7,024,940 gallons**

Manure and Bedding:	7,366,125 gallons
Parlor Wastewater	1,861,500 gallons
Total Feed Storage Leachate:	0 gallons
Total Feed Storage Runoff Collected:	0 gallons
Total Feedlot Runoff Collected:	0 gallons
Net Precipitation on Storage Surfaces:	1,569,562 gallons
Total Stacking Pad Runoff Collected:	0 gallons
Other Wastes Collected:	0 gallons
Solid Waste Removed:	-0 Gallons (equivalent)

Total Liquid Waste Stored Below the MOL	10,797,187 gallons

Should you have any questions, please contact Bernie Michaud, P.E., DNR Madison office or your regional CAFO Specialist.

NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to WIS. STAT. §§ 227.52 and 227.53, you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to WIS. STAT. § 227.42, you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. All requests for contested case hearings must be made in accordance with WIS. ADMIN. CODE § NR 2.05(5), and served on the Secretary in accordance with WIS. ADMIN. CODE § NR 2.03. The filing of a request for a contested case hearing does not extend the 30-day period for filing a petition for judicial review.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

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